

EXHIBIT 176

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL)
INDUSTRY AVERAGE WHOLESALE) MDL No. 1456
PRICE LITIGATION) Civil Action No.
) 01-12257-PBS
)
THIS DOCUMENT RELATES TO:)
)
United States of America,) Hon. Patti Saris
ex rel. Ven-a-Care of the)
Florida Keys, Inc., v.)
Abbott Laboratories, Inc.,)
and Hospira, Inc.)
CIVIL ACTION NO. 06-11337-PBS)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL)
INDUSTRY AVERAGE WHOLESALE) MDL No. 1456
PRICE LITIGATION) Civil Action No.
) 01-CV-12257-PBS
)
THIS DOCUMENT RELATES TO:)
) Judge Patti B. Saris
State of Arizona v. Abbott)
Labs., et al.)
Civil Action No. 06-CV-11069-PBS)

ORAL AND VIDEOTAPED DEPOSITION OF

KARLA KREKLOW

June 28, 2007

FREDERICKS-CARROLL REPORTING

AUSTIN (512) 477-9911 - HOUSTON (713) 572-8897 - SAN ANTONIO (210) 222-9161

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1 UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2

3 IN RE: PHARMACEUTICAL)
INDUSTRY AVERAGE WHOLESAL) MDL No. 1456
PRICE LITIGATION) Civil Action No.
4) 01-CV-12257-PBS
)

5 THIS DOCUMENT RELATES TO:) Judge Patti B. Saris
ALL CASES)

6

7 *****
8 UNITED STATES DISTRICT COURT
9 DISTRICT OF MASSACHUSETTS

10 IN RE: PHARMACEUTICAL)
INDUSTRY AVERAGE WHOLESAL) MDL No. 1456
PRICE LITIGATION) Civil Action No.
11) 01-CV-12257-PBS
)

12 THIS DOCUMENT RELATES TO:)
Judge Patti B. Saris)

13 State of California, ex rel.)
Ven-A-Care v. Abbott) Magistrate
14 Laboratories, et al.) Judge Marianne Bowler
Cause Nos. 03-cv-11226-PBS)

15

16 *****
17 NO. D-1-GV-04-001286
18 THE STATE OF TEXAS) IN THE DISTRICT COURT
)

19 ex rel.)
VEN-A-CARE OF THE)
20 FLORIDA KEYS, INC.,)
Plaintiffs,)

21)
VS.) TRAVIS COUNTY, TEXAS
22)

23 ABBOTT LABORATORIES INC.,)
ABBOTT LABORATORIES, and)
HOSPIRA, INC.,)
24 Defendant(s).) 201ST JUDICIAL DISTRICT
25 *****

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1 ORAL AND VIDEOTAPED DEPOSITION OF KARLA KREKLOW,
2 produced as a witness at the instance of the
3 Plaintiffs, and duly sworn, was taken in the
4 above-styled and numbered causes on the 28th day of
5 June, 2007, from 9:03 a.m. to 5:09 p.m., before
6 WILLIAM M. FREDERICKS, CSR in and for the State of
7 Texas, reported by machine shorthand, at the offices
8 of Jones Day, 77 West Wacker Drive, Suite 3500,
9 Chicago, Illinois, pursuant to the Federal and Texas
10 Rules of Civil Procedure and the provisions attached
11 previously.

A P P E A R A N C E S

FOR THE PLAINTIFF THE STATE OF TEXAS:

15 Mr. Raymond C. Winter
16 Assistant Attorney General
17 Office of the Attorney General
18 State of Texas
19 Post Office Box 12548 (78711-2548)
20 300 W. 15th Street, 9th Floor
21 Austin, Texas 78701

FOR THE PLAINTIFF UNITED STATES OF AMERICA:

21 Ms. Ann M. St. Peter-Griffith
22 Assistant U.S. Attorney
23 United States Attorney's Office
Southern District of Florida
24 99 N.E. Fourth Street
25 Miami, Florida 33132

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1 A P P E A R A N C E S (Continued)

2

3 FOR THE PLAINTIFF THE STATE OF ARIZONA AND MDL
PLAINTIFFS:
4 Ms. Amber M. Nesbitt
Wexler Toriseva Wallace LLP
5 One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

6

7 FOR THE PLAINTIFF THE STATE OF CALIFORNIA:
8 Mr. Eliseo Sisneros
Deputy Attorney General
9 BMFEA
Bureau of Medi-Cal Fraud & Elder Abuse
10 State of California Department of Justice
11 110 West A Street #1100
San Diego, California 92101

12

13 FOR THE RELATOR:
14 Mr. Rand J. Riklin
Goode Casseb Jones Riklin
Choate & Watson, P.C.
15 2122 North Main Avenue
P.O. Box 120480
16 San Antonio, Texas 78212-9680

17

18 FOR THE DEFENDANTS ABBOTT LABORATORIES INC. AND
HOSPIRA, INC.:
19 Mr. Jason Winchester
Jones Day
20 77 West Wacker, Suite 3500
Chicago, Illinois 60601-1692

21

22 ALSO PRESENT: Mr. Scot Ziarko, Videographer.
23

24 *.*.*.*.*
25

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<p>1 EXHIBITS (Continued)</p> <p>2 (New Exhibits)</p> <p>3 1108 211</p> <p>4 Memo from Jack Miller to Debbie Longley dated</p> <p>5 May 28, 1996</p> <p>6 1109 222</p> <p>7 Abbott Laboratories Interoffice Correspondence</p> <p>8 from Mary Beth Manso to Debbie Longley dated</p> <p>9 September 21, 1995</p> <p>10 1110 250</p> <p>11 Packet labeled "Video project"</p> <p>12 1111 282</p> <p>13 CHIP System Reimbursement Module User's Guide</p> <p>14 1112 289</p> <p>15 CHIP System Financial Reporting Package</p> <p>16 1113 304</p> <p>17 Care Partners, Inc., Home Infusion Services</p> <p>18 Agreement</p> <p>19 1114 308</p> <p>20 E-mail from Bruce Rodman to Karla Kreklow</p> <p>21 dated August 24, 2000</p> <p>22 1115 318</p> <p>23 E-mail from Sarah Card to Bruce Rodman dated</p> <p>24 December 11, 2001</p> <p>25</p>	<p>1 MS. ST. PETER-GRIFFITH: Ann</p> <p>2 St. Peter-Griffith from the United States Attorney's</p> <p>3 Office, Southern District of Florida, on behalf of the</p> <p>4 United States.</p> <p>5 MS. NESBITT: Amber Nesbitt of</p> <p>6 Wexler Toriseva Wallace on behalf of the MDL</p> <p>7 Plaintiffs and the State of Arizona.</p> <p>8 MR. SISNEROS: Eliseo Sisneros, Deputy</p> <p>9 Attorney General for the State of California on behalf</p> <p>10 of California. 09:04</p> <p>11 MR. WINCHESTER: Jason Winchester for</p> <p>12 the Defendants.</p> <p>13 MR. WINTER: Good morning, Mr. --</p> <p>14 THE REPORTER: One second, please.</p> <p>15 THE VIDEOGRAPHER: Will the officer 09:04</p> <p>16 please identify yourself and swear in the witness.</p> <p>17 THE REPORTER: My name is William</p> <p>18 Fredericks.</p> <p>19 Would you raise your right hand, please,</p> <p>20 ma'am.</p> <p>21 KARLA KREKLOW,</p> <p>22 having been first duly sworn, testified as follows:</p> <p>23 EXAMINATION</p> <p>24 BY MR. WINTER:</p> <p>25 Q. Good morning, Ms. Kreklow. 09:04</p>
Page 7	Page 9
<p>1 THE VIDEOGRAPHER: My name is Scot</p> <p>2 Ziarko in association with Fredericks-Carroll</p> <p>3 Reporting in Texas. This deposition is taking place</p> <p>4 June 27th -- or June 28th, 2007. The time is now</p> <p>5 9:03 a.m. The location of this deposition is 09:03</p> <p>6 77 West Wacker, Chicago, Illinois.</p> <p>7 This deposition is taken in the matter</p> <p>8 of In Re: Pharmaceutical Industry Average Wholesale</p> <p>9 Price Litigation in the United States District Court,</p> <p>10 District of Massachusetts, MDL No. 1456, Civil Action 09:03</p> <p>11 No. 01-12257-PBS, as well as the State of Texas versus</p> <p>12 Abbott Laboratories Inc., Abbott Laboratories and</p> <p>13 Hospira, Inc., Case No. D-1-GV-04-001286 in the</p> <p>14 District Court, Travis County, Texas.</p> <p>15 The deponent's name is Karla Kreklow. 09:03</p> <p>16 This deposition is being taken on behalf of the</p> <p>17 Plaintiffs. The party at whose instance this</p> <p>18 deposition is being recorded on audio and video</p> <p>19 recording device are the Plaintiffs.</p> <p>20 Will counsel please identify yourselves 09:04</p> <p>21 for the record.</p> <p>22 MR. WINTER: Raymond Winter with the</p> <p>23 Texas Attorney General's Office.</p> <p>24 MR. RIKLIN: Rand Riklin for the</p> <p>25 Relator.</p>	<p>1 A. Good morning.</p> <p>2 Q. My name is Ray Winter. You and I just met.</p> <p>3 A. Right.</p> <p>4 Q. I represent the State of Texas in a lawsuit</p> <p>5 that's been filed in Austin, Texas, by the State of 09:05</p> <p>6 Texas and Ven-A-Care against Abbott Laboratories.</p> <p>7 Did you understand that?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And do you understand that you're here</p> <p>10 giving testimony today in that lawsuit under oath? 09:05</p> <p>11 A. Yes, I do.</p> <p>12 Q. And do you understand that you're required to</p> <p>13 testify truthfully and completely in response to the</p> <p>14 questions that I ask and that the penalties of perjury</p> <p>15 apply in this proceeding just as they would if you 09:05</p> <p>16 were testifying in a court?</p> <p>17 A. Yes, I do.</p> <p>18 Q. Is there any reason why you cannot give</p> <p>19 honest, complete answers to my questions today?</p> <p>20 A. No, there are not. 09:05</p> <p>21 Q. Have you ever been deposed before?</p> <p>22 A. No, I have not.</p> <p>23 Q. Okay. There are a few ground rules that we</p> <p>24 like to go over, and one of the most important -- and</p> <p>25 perhaps Mr. Winchester has already brought these to 09:05</p>

3 (Pages 6 to 9)

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<p>1 customer had a question about this document, they 2 contacted someone in Reimbursement. 3 Q. Somebody that worked either for Ginny 4 Tobiason or Dave Brincks? 5 A. At -- no. It would have been when I was 03:32 6 there -- yes, Ginny Tobiason, but not Dave Brincks. 7 It would have probably been someone more regarding the 8 CHIP system. If they had a question about how does 9 CHIP do something and Ginny couldn't answer it, then 10 the manager for the CHIP system would contact the 03:32 11 customer, or we had a help line for the CHIP system, 12 and they would contact the customer. 13 Q. Who was the manager of the CHIP system? 14 A. Chris Blandford. 15 Q. I'm sorry? 03:32 16 A. Chris -- a lady, Chris Blandford, 17 B-l-a-n-d-f-o-r-d. 18 Q. Blandford. Okay. During the entire time 19 that you were in Home Infusion she was the manager of 20 the CHIP system? 03:32 21 A. Yes. 22 Q. Is she still an Abbott employee? 23 A. No. Hospira I believe. Last I heard. 24 Q. Did she work for Ginny? 25 A. No. 03:32</p>	<p>1 Q. (BY MR. WINTER) And would you please look at 2 the third page of that exhibit. 3 A. 72? 4 Q. Yes, ma'am. 5 A. Yes. 03:35 6 Q. The fourth bullet point from the bottom in 7 the top half -- 8 A. Yes. 9 Q. -- do you see the discussion of CHIP? 10 A. Yes. 03:35 11 Q. And what does the acronym stand for there? 12 A. Client Home Infusion Program. 13 Q. Do you recall a time when they changed the 14 name or changed the constituent words that made up 15 CHIP? 03:35 16 A. Yes, I do. 17 Q. What was the explanation for that? 18 A. That was a marketing decision. I don't know 19 why. 20 Q. Okay. So Client Home Infusion Program is 03:35 21 what it was previously, and then they changed it to 22 Comprehensive Homecare Information Prescription? 23 A. Yes. 24 Q. And you don't have any understanding as to 25 why they did that? 03:35</p>
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<p>1 Q. Did she work for Bruce Rodman? 2 A. No. 3 Q. Who did she work for? 4 A. She actually reported to someone outside of 5 Home Infusion. I think at one point in time it was 03:33 6 Satis -- Satish Shaw, and I don't know him, but I 7 remember hearing that name. She had dotted line to 8 Mike Sellers. 9 Q. Keep that handy, if you would, please. We 10 may come back to it. 03:34 11 A. Okay. 12 Q. In fact, let me -- on the first page of that 13 document -- 14 MR. RIKLIN: You just want to see the 15 first page? 03:34 16 MR. WINTER: Yeah. 17 Q. (BY MR. WINTER) On Exhibit 1111, under "CHIP 18 System" -- what -- what does "CHIP" stand for? 19 A. Comprehensive Homecare Information 20 Prescription. 03:34 21 Q. And will you look at Exhibit 294 that's right 22 underneath there. 23 A. What -- 24 MR. WINCHESTER: That's this thing. 25 THE WITNESS: Yes. Okay. Yes. 03:34</p>	<p>1 A. No, because that never made any sense to me. 2 Q. Okay. But it was the same system, the same 3 computer program? 4 A. It was -- yes, it was the same system. 5 Q. Okay. 6 A. It was constantly being enhanced. 7 Q. Constantly tweaking it and -- 8 A. Yes. 9 Q. -- changing things up and that kind of thing? 10 Okay. Let me show you what's marked as 03:36 11 Exhibit 1112. 12 (Deposition Exhibit 1112 marked.) 13 (Document tendered.) 14 Q. (BY MR. WINTER) And for the record, this is 15 a multi-page document produced from Abbott's business 03:36 16 records Bates labeled TXABT 161798 on the first page, 17 and it runs through 161891 on my copy. 18 Is that consistent with yours, ma'am? 19 A. Yes. It -- well, 91 you said, right? 20 Q. I did. 03:36 21 A. Yes. Yes. 22 Q. Do you recognize this document? 23 A. Yes. 24 Q. What is it? 25 A. It's the financial reporting process which 03:36</p>

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